IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No. 263 of 2007

For Approval and Signature:

HONOURABLE MR.JUSTICE M.R. SHAH

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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RAJU RANCHHOD SONI - Applicant(s)
Versus
STATE OF GUJARAT - Respondent(s)

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Appearance :
MR NM KAPADIA for Applicant(s) : 1,
PUBLIC PROSECUTOR for Respondent(s) : 1,

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CORAM : HONOURABLE MR.JUSTICE M.R. SHAH

Date : 27/07/2007

ORAL JUDGMENT

By way of this application u/s 482 of Criminal Procedure Code, the applicant has prayed for an appropriate order to quash the complaint being C.R. No. III 5460 of 2006 registered at Varachha Police

Station u/s 66(1)(b), 65(a)(e), 81, 83 and 116(1)(b) of the Bombay Prohibition Act, mainly on the ground that except the statement of the co-accused, there is no other material and/or evidence against the applicant.

At the outset, Shri Kapadia, learned advocate appearing on behalf of the applicant has submitted that the applicant would not press for the present with a liberty to move an appropriate application for discharge after the charge sheet is filed (if any) and ultimately, it is found at that stage that except the statement of the co-accused, there is no further material and/or evidence against the applicant. Permission is accordingly granted. The present application is dismissed as not pressed with above liberty. Rule discharged. Ad interim relief granted earlier stands vacated forthwith.

(M.R. Shah, J.)

shekhar/-